

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark B. Nordstrom

Appln. No.

10/085,397

Art Unit:

3727

Filed:

February 28, 2002

Examiner:

M. Brevard

For:

PIVOTING SHOULDER STRAP FOR

Docket No.:

26/1164US

A BACKPACK

Assistant Commissioner for Patents Washington, D.C. 20231

## Statement of Common Ownership of Prior Art Citation and Invention To Disqualify Prior Art Citation Under 35 U.S.C. § 103(c)

At the time the invention in the present application was made, U.S. Patent Application No. 10/085,397 (the present invention) and U.S. Patent No. 6,474,523 (Morrison et al.) were subject to an obligation of assignment to the same entity, TRG Accessories, L.L.C.

Evidence of such shared obligation to assign is provided by the actual assignment of both the application and the patent to the same entity, TRG Accessories, L.L.C., which entity is the current common owner of both the present invention and Morrison et al. These assignments were duly recorded in the U.S. Patent and Trademark Office at reel/frame number 12978/823, and reel/frame number 11435/217, respectively.

Respectfully submitted,

Lewis, Rice & Fingersh, L.C.

Dated: May 6, 2004

Kirk A. Damman

Registration No. 42,461 Attorney for Applicant

Customer Number: 22822 Lewis, Rice and Fingersh, L.C. 500 N. Broadway, Suite 2000 St. Louis, MO 63102-2147

Tel: (314) 444-7600 Fax: (314) 444-7788

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**TECHNOLOGY CENTER R3700** 

CERTIFICATE OF I		Docket No.								
Applicant(s): Nordstrom	1	6	TAN (37 CFR 1.10)		26/1164					
Serial No.	Filing Date	<del></del>	Examiner	L	Group Art Unit					
10/085,397	02/28/2004	PATEN	M. Brevard		3727 <sup>-</sup>					
Invention: PIVOTING S	SHOULDER STRAP FO	R A BAC	RECE	EIVE	C					
MAY 1 4 2004										
		<u>-</u>	TECHNOLOGY C	ENTER	R8700					
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is being denosited with	the United States Pos	al Servic	e "Express Mail Post Office t	o Addı	ressee" service under 37					
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	May 6, 2004									
	(Date)									
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Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) \$110.00

Co	mplete if Kn	own
Application Number	10/085,397	DECEIVE
Filing Date	02/28/2002	NEOL.
First Named Inventor	Nordstrom	WAY 1 4 2004
Examiner Name	M. Brevard	
Art Unit	3727	TECHNOLOGY CENTER R370
Attorney Docket No.	26/1164US	,

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)						
Check Credit card Money Other None	3. ADDITIONAL FEES						
Deposit Account:		Entity		LEntity	<u> </u>		
Deposit	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
Account Number	1051		2051		Surcharge - late filing fee or oath		
Deposit	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
Account Name	1053	130	1053	130	Non - English specification		
The Director is authorized to: (check all that apply)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination		
Charge fee(s) indicated below Credit any overpayments	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge any additional fee(s) or any underpayment of fee(s)	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1251	110	2251	55	Extension for reply within first month		
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month		
1. BASIC FILING FEE	1253	950	2253	475	Extension for reply within third month		
Large Entity   Small Entity	1254	1,480	2254	740	Extension for reply within fourth month		
Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid	1255	2,010	2255	1,005	Extension for reply within fifth month		
1001 770 2001 385 Utility filing fee	1401	330	2401	165	Notice of Appeal		
1002 340 2002 170 Design filing fee	1402	330	2402	165	Filing a brief in support of an appeal		
1003 530 2003 265 Plant filling fee	1403	290	2403	145	Request for oral hearing		
1004 770 2004 385 Reissue filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive - unavoidable		
SUBTOTAL (1) (\$)		1,330	2453	665	Petition to revive - unintentional		
	1501	1,330	2501	665	Utility issue fee (or reissue)		
2. EXTRA CLAIM FEES FOR UTILITY AND Fee from	1502	480	2502	240	Design issue fee		
Extra Claims below Fee Paid	1503	640	2503	320	Plant issue fee		
Total Claims		130	1460	130	Petitions to the Commissioner		
Independent 3** =0 X =0.00   Claims   Multiple Dependent   =	1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)		
Large Entity   Small Entity	1806	180	1806	180	Submission of Information Disclosure Statement		
Fee Fee Fee Fee Description Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		
1204 86 2204 43 ** Reissue independent claims	1801	770	2801	385	Request for Continued Examination (RCE)		
over original patent		900	1802	900	Request for expedited examination		
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	Othe	er fee (:	specify)	Term	of a design application inal Disclaimer	110.00	
SUBTOTAL (2) (\$) \$0.00		·	•				
**or number previously paid, if greater; For Reissues, see above	*Red	luced b	y Basic	Filing I	Fee Paid SUBTOTAL (3) (\$)	\$110.00	
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SUBMITTED BY

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Date

May 6, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.